



Federal Communications Commission  
Washington, D.C. 20554

January 28, 2002

VIA FACSIMILE AND U.S. MAIL

John P. Janka, Esq.  
Latham & Watkins  
555 11<sup>th</sup> Street, NW  
Suite 1000  
Washington, D.C. 20004-1304

174-SAT-P/LA-95

Re: Hughes Communications Galaxy, Inc., File Nos.  
IBFS No. SAT-LOA-19931203-00040/41; IBFS No.  
SAT-LOA-199950929-00125/00129; IBFS No. SAT-  
LOA-199950929-00137.

Dear Mr. Janka:

On January 31, 2001, the International Bureau (Bureau) modified Hughes Communications Galaxy, Inc.'s (Hughes) license to launch and operate a satellite system in the geostationary-satellite orbit to provide fixed-satellite service in a portion of the Ka-band. Specifically, the Bureau authorized Hughes to operate inter-satellite service links and specified additional downlink operating frequencies for satellite-to-user transmissions.<sup>1</sup> In addition, we assigned implementation milestones for the construction, launch, and operation of the satellite system. The license provides that failure to meet any of the implementation milestones will render the satellite authorization null and void. The first implementation milestone requires Hughes to commence construction of its first satellite by January 2002.<sup>2</sup>

To satisfy the construction commencement milestone for satellite licenses, the Commission requires the execution of a non-contingent construction contract. The "non-contingent" requirement contemplates that there will be neither significant delays between the execution of the construction contract and the actual commencement of construction, nor conditions precedent to construction.<sup>3</sup>

In order for the Commission to determine whether Hughes has complied with this milestone condition of its license, please submit a copy of an executed contract verifying that construction has commenced and that Hughes's satellites will be built within the time frame specified in Hughes's license. This information must be filed with the Commission's Secretary by February 8, 2002, with a hand

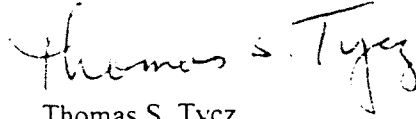
<sup>1</sup> Hughes Communications Galaxy, Inc., Application for Authority to Construct, Launch, and Operate a Ka-band Satellite System in the Fixed-Satellite Service, *Order and Authorization*, 16 FCC Rcd 2470 (Int'l Bur. 2001).

<sup>2</sup> *Id.* at 2479.

<sup>3</sup> See PanAmSat Licensee Corp., Application for Authority to Construct, Launch, and Operate a Ka-Band Communications Satellite System in the Fixed-Satellite Service at Orbital Locations 58° W.L. and 125° W.L., *Memorandum Opinion and Order*, 15 FCC Rcd 18720 (Int'l Bur. 2000) *aff'd*, 16 FCC Rcd 11534 (2001).

delivered courtesy copy to Alyssa Roberts of my staff. Failure to provide this information by this date shall render Hughes's Ka-band license null and void. Please contact Alyssa Roberts at (202) 418-7276 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Thomas S. Tycz". The signature is written in a cursive style with a large initial 'T'.

Thomas S. Tycz

Chief

Satellite and Radiocommunication Division

cc: Bruce Jacobs, Esq., Shaw Pittman, LLP